

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JOHN E. SHAVERS

APPELLANT

V.

CIVIL ACTION NO. 1:04CV775 LTS-JMR

DWAYNE M. MURRAY, TRUSTEE

APPELLEE

ORDER OF DISMISSAL

This appeal from the Bankruptcy Court was filed on June 9, 2004. Appellant John E. Shavers (Shavers) has filed neither a statement of issues nor a brief in support of his appeal within the time permitted by the rules applicable to appeals of the decisions of the bankruptcy court.. Appellee Dwayne M. Murray has filed a motion to dismiss for Shaver's failure to prosecute his appeal. This motion will be granted.

Accordingly, it is

ORDERED

That this appeal is hereby **DISMISSED** for failure of the appellant to prosecute.

SO ORDERED this 31st day of January, 2006.

s/ L. T. Senter, Jr.

L. T. Senter, Jr.
Senior Judge